

*original filed 3/21/06

NOT FOR CITATION
 IN THE UNITED STATES DISTRICT COURT
 FOR THE NORTHERN DISTRICT OF CALIFORNIA

11	MICHAEL BROWN,)	No. C 05-3816 JF (PR)
12	Plaintiff,)	
13	vs.)	ORDER CORRECTING
14	CHIEF DEPUTY GARY PHILIP, et al.,)	ERRONEOUS FILING;
15	Defendants.)	CLOSING CASE;
)	INSTRUCTIONS TO CLERK

Plaintiff, proceeding pro se, filed this civil rights complaint pursuant to 42 U.S.C. § 1983 and an application to proceed in forma pauperis on September 22, 2005. Plaintiff filed an earlier civil rights complaint with this Court, case no. C 05-3341 JF (PR), which contains a duplicate complaint alleging the same claims against the same Defendants as the instant complaint. It appears the instant complaint was mistakenly received and opened as a new case in this action. Because the instant case was opened erroneously, the Clerk shall terminate all pending motions (docket no. 2) and close the file. The Court will review Plaintiff's complaint in a separate written order in the earlier case, C 05-3341 JF (PR).

IT IS SO ORDERED.

DATED: __3/20/06__


 JEREMY FOGEL
 United States District Judge

1 This is to certify that on _____, a copy of this ruling
2 was mailed to the following:

3 Michael Brown
4 V-77488
5 San Quentin State Prison
6 San Quentin, CA 94974
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